

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55288 of 2022

Arising Out of PS. Case No.-122 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Reeta Devi, Wife of Dharmendra Ray, Resident of Village- Rawuza Pokhra,
Naya Tola, Chhapra, P.S.- Chhapra Town, District- Saran At Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-12-2022 This petition has been taken up for out of turn hearing on a mentioning slip being moved on behalf of the petitioner that the petitioner is a lady and six months pregnant.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Sessions Trial No. 341 of 2022, arising out of Bhagwan Bazar P.S. Case No. 122 of 2022, registered for the alleged offences under Sections 302, 328, 120 (B), 504 and 506 of the Indian Penal Code.

As per prosecution case, the husband of the informant was found dead and the petitioner is said to have been seen in the CCTV footage who stayed with the deceased in a room of a hotel. The informant has alleged that the petitioner was having illicit relationship with her husband and she administered him



poison. It is further alleged that the petitioner has taken money from the deceased and she hatched a conspiracy along with her co-accused husband and three other accused persons and murdered the husband of the informant.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case without any material against her. The petitioner is a lady and she is innocent. The husband of the informant was a drunkard and a case vide Maker P.S. Case No.117 of 2020 under Sections 37 (b) (c) of Bihar Prohibition and Excise Act was pending against him. The husband of the informant died after consuming spurious liquor and as there was inimical terms of the informant with the petitioner and her family members, she has implicated all of them in this case. There is no eye witness to the occurrence and there is no material against the petitioner to connect him with the crime. The story of the petitioner being seen in the CCTV footage is incorrect as the room was booked in the name of the deceased and his wife. The petitioner is in custody since 17.03.2022 and the charge sheet has been submitted.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made here-in-above and considering the fact that the petitioner is a lady and there appears lack of substantive material against her to connect with the offence as alleged and



further considering the submission of charge sheet along with period of custody, the petitioner is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-XIII, Saran at Chapra in connection with Sessions Trial No. 341 of 2022, arising out of Bhagwan Bazar P.S. Case No. 122 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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